

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Creighton et al.

Serial No.: Not Yet Assigned

Filed:

Art Unit:

Examiner:

For: Efficient Magnet System for Magnetically-Assisted Surgery

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Dear Sir:

In order to comply with 37 CFR 1.97 and 1.98, a copy of Form PTO-1449 and copies of the documents listed on it are attached.

In accordance with MPEP 609 and 707.05(b), Applicant respectfully requests that each document listed be given thorough consideration and that the Examiner cite each document of record in the prosecution history of the present application by initialing Form PTO-1449 next to each document. Applicant requests such initialing even if the Examiner does not consider: (1) a listed document to be sufficiently pertinent to use in a rejection; (2) a document to be prior art for any reason; or (3) that the guidelines for citation have been fully complied with respecting a particular document. Applicant makes this request so that each document becomes cited on the face of a patent issuing on the present application.

Applicant submits the present Information Disclosure Statement in compliance with the duty to disclose information material to patentability under 37 CFR 1.56, but by listing such documents Applicant is not admitting that such documents are necessarily

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relevant or prior art. Applicant intends no representation that the listed documents represent the results of a complete search. Applicant anticipates that the Examiner, in the normal course of examination, will make an independent search to determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of such search, will review for relevance every document listed on the attached Form even if not initialed.

Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

Applicant earnestly solicits early and favorable consideration. If the Examiner should have any questions with regard to this filing, he or she should contact the undersigned attorney at (314) 726-7500.

Dated: September 30, 2003

Respectfully submitted,

BY: 

Bryan K. Wheelock

Reg. No. 31,441

Attorneys for Applicant

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 1 of 1	ATTORNEY DOCKET NO.	SERIAL NO.
	5236-000440	Not Yet Assigned
	APPLICANT	
	Creighton et al	
	FILING DATE	GROUP

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		4,839,059	06/13/1989	Leupold		
2.		4,869,247	09/26/1989	Howard, III et al.		
3.		5,125,888	06/30/1992	Howard et al.		
4.		5,216,400	06/01/1993	Leupold		
5.		5,257,636	11/02/1993	White		
6.		5,312,321	05/17/1994	Holcomb		
7.		5,622,169	04/22/1997	Golden et al.		
8.		5,681,260	10/28/1997	Ueda et al.		

FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes No	
1.							

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		13 <sup>th</sup> Int. Workshop on RE Magents & Their Applications, "Construction and Evaluation of Permanent Magnet Variable Flux Resources", J.M.D. Coey and O. Gugat, pgs. 41-54

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Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.